



OKLAHOMA ETHICS COMMISSION

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Joint Statement by Ethics Commission and James McSpadden

The Oklahoma Ethics Commission (Commission) and James McSpadden (McSpadden) have entered into a formal agreement to settle Commission's investigation in Case No. 2017-10, regarding his activity and involvement in Case No. 2017-10 with the illegal actions of Oklahoman's for Healthy Living (OHL), an entity registered as a limited political action committee ("limited committee") in Oklahoma.

The Ethics Commission was established and placed in the state constitution by Oklahomans, with one of its primary purposes being the regulation of conduct of elections for state office. The Commission is constitutionally required to enact civil laws for state elections, investigate alleged violations of those laws, and, when necessary, prosecute violations of those laws.

It is easy to approach campaigns, and the laws that apply to them, as little more than a game due to the competitive nature of politics. Campaign finance laws are not rules of a game. They are vital to protecting the sanctity of our electoral system. These laws form the backbone of our republican form of government. Following campaign finance laws is a duty every person who chooses to be an officer of a political committee, whether in name or through action, owes the electorate of this state.

Individuals must understand their obligations under the law and that campaign finance laws exist to ensure fair elections and promote public trust in government. Just like state officers rely on true and accurate information in forming policies, the electorate relies on true, accurate, and publicly available information in determining whether to support or oppose a candidate or state question.

Regardless of the intent of those forming and funding OHL, the actions of OHL unequivocally erode the trust Oklahoman's have in its elections and its government. Thankfully, in this instance, the amount of illegal funds flowing through OHL to Oklahoma candidates and political committees was relatively small, but larger sums could seriously and negatively impact the validity of Oklahoma elections and undermine the public trust. Any committee finding itself in a situation similar to OHL should immediately contact the Commission to rectify its activity. Self-reporting will be taken into account when determining appropriate remedies.

McSpadden cooperated with the Commission and the District Attorney's office of Oklahoma County to identify the actual activity of OHL, understand why the activities violated state law, and understand why those laws are vital to the electoral process. McSpadden learned and now understands it was his obligation to know the responsibilities he had in being a named officer of a political committee and the important function of such responsibilities.

McSpadden further recognizes the Commission's significant efforts to ensure resources are available to those involved in the political process. However, regardless of the Commission's efforts, it is ultimately up to those officers and others involved with making decisions for political committees to utilize those resources and understand the law. Those who are named, or act on behalf of entities engaged in campaign activity in Oklahoma, are entrusted with sacred responsibilities, not just to the political committee they serve, but to the citizens of the State of Oklahoma. McSpadden strongly believes this settlement agreement provides an opportunity to educate others who are currently involved with, or are considering being involved with, political committees in Oklahoma.

The Commission's underfunding and lack of resources is well known. This increases the likelihood that violations of the Ethics Rules will occur. While significant penalties are a part of this settlement, those funds by law go to the General Revenue Fund of Oklahoma and not to fund the Ethics Commission. Regardless of its funding level, McSpadden and the Commission agree those engaged in Oklahoma politics need to know that campaign finance laws exist, they exist for a reason, and failure to comply with such laws may result in serious consequences.

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